

Long Island Sound Area Contingency Plan

APPENDICES

9000	Appendices	9-2
9100	Emergency Notification	9-2
9110	Initial Awareness, Assessment & Notification Sequence	9-2
9110.1	Initial Assessment Check-off List	9-2
9110.2	Initial Action Check-off List	9-2
9110.3	Notification Check-off List	9-2
9200	Draft Incident Action Plan (IAP)	9-3
9300	Area Planning Documentation	9-3
9310	Discharge & Release History (TBD)	9-3
9320	Risk Assessment (TBD)	9-3
9330	Planning Assumptions - Background Information (TBD)	9-3
9340	Planning Scenarios	9-3
9400	List of Agreements	9-11
9500	Conversions	9-11
9600	List of Response References	9-12
9610	Relevant Statute/Regulations/Authorities List	9-12
9620	Relevant Instructions/Guidelines/Standard Procedures and Practices List	9-13
9630	Job Aids/Links	9-13
9630.1	IMH	9-13
9630.2	Pollution Response Aids	9-13
9630.3	ICS Forms	9-14
9630.4	Dispersant MOU/Maps/Charts	9-14
9630.5	In-Situ Burning MOU/Maps	9-26
9630.6	COTP Long Island Sound Zone – Geographic Boundaries	9-39
9630.7	Connecticut: U.S. Coast Guard / EPA Region 1 Boundary	9-39
9630.8	Long Island, New York: US Coast Guard / EPA Region 2 Boundary	9-41
9640	References/Links	9-41
9640.1	NCP Product List	9-41
9640.2	Catalog of Crude Oil & Oil Product Properties	9-42
9640.3	CHRIS Manual	9-42
9640.4	Code of Federal Regulations (CFR)	9-42
9640.5	NIOSH Guide	9-42
9640.6	U.S. Coast Guard Marine Safety Manual IX (Marine Environmental Protection)	9-42
9640.7	Regional Response Team I/Regional Contingency Plan	9-42
9640.8	Regional Response Team II	9-42
9640.9	National Response Team	9-42
9640.10	Initial National Response Plan	9-42
9640.11	G-MOR USCG Office of Response	9-42
9640.12	CERCLA (Comprehensive Environmental Response Compensation and Liability Act)	9-42
9640.13	Shoreline Countermeasure Matrix	9-42
9640.14	Coast Guard/EPA Regions 1 and 2 Boundary Maps	9-42
9700	Reserved	9-43
9800	Reserved for Area/District	9-43
9900	Reserved	9-43

9000 Appendices

9100 Emergency Notification

Any person in charge of a vessel or facility must immediately give notice as soon as they have knowledge of any discharge of oil or hazardous substance. The regulations found in 40 CFR Sections 300.125, 300.300 and 300.405 require that such notifications be made directly to the NRC, which will relay the report to the cognizant USCG or EPA OSC. The OSCs staff must be prepared to receive reports and react accordingly. The more complete the initial information the better, but further notifications should not be held up pending investigation.

9110 Initial Awareness, Assessment & Notification Sequence

The USCG shall to the extent possible fill out the [Incident Report Summary](#) and begin notifications.

9110.1 Initial Assessment Check-off List

The first responder's on-scene will attempt to gather as much information as possible to obtain an accurate description of the incident (see the [Initial Assessment Job Aid](#), and the [ICS Form 201](#)). The investigation team will gather information required to recommend countermeasures to minimize or mitigate adverse impacts of the spill. This information should be detailed, consistent, and systematic. This information is not only of value to the response personnel; the Information Officer can prepare a press statement with the factual information gathered during the initial investigation to address any questions from the public.

9110.2 Initial Action Check-off List

When the investigation shows that an actual or potential minor discharge exists, the FOSC shall monitor the situation to ensure that proper removal action is taken.

Determine if effective and immediate removal or prevention of a discharge can be achieved by private party efforts (see Group/MSO Long Island Sound's Pollution Response Action Job Aid), and where the discharge does not pose a substantial threat to public health or welfare, determine whether the responsible party or other person is properly carrying out removal.

9110.3 Notification Check-off List

Upon notification of a discharge or a suspected discharge of oil, the communications watchstander (during working hours) or the dispatcher (during non-working hours) will complete applicable notifications as listed on the [Incident Report Summary \(to NPFC\)](#).

[Pollution Incident Report](#) for Group/MSO Long Island Sound.

Long Island Sound Area Contingency Plan

APPENDICES

9200 Draft Incident Action Plan (IAP)

9300 Area Planning Documentation

9310 Discharge & Release History (TBD)

9320 Risk Assessment (TBD)

9330 Planning Assumptions - Background Information (TBD)

9340 Planning Scenarios

Reference: (a) 40 CFR 300, National Oil and Hazardous Substances Pollution Contingency Plan

General. As part of the preparedness improvement, reference (a) requires the development of scenarios for average most, maximum most probable and worst-case spills. These scenarios must describe the incidents as well as the response to those incidents.

Area Spill Scenario Considerations. Preparing for where spills may occur and what decisions will have to be made is critical to effective contingency planning. Despite all the equipment, expertise, and personnel, an oil spill of severe consequence could occur in the COTP Long Island Sound zone. The response to the spill would be affected by the location, temperature, wind velocity, current velocity, type of oil, and many other factors, but the effectiveness of that response will depend on thorough prior planning. One method for doing this is through scenario development. Reference (a) requires that three such scenarios be developed and worked through to identify appropriate actions and shortfalls. The three scenarios follow.

Average Most Probable Discharge

Scenario Definition. The average spill in the COTP Long Island Sound zone would be approximately 150 gallons (minor spill) of No. 6 or No. 2 fuel oil and would occur at a waterfront facility during transfer operations (primarily through human error).

Response Strategy

Phase I – Discovery and Notification: The discharge of oil in this scenario would be discovered by the dockman at the facility or the tankerman onboard the tank vessel. The spiller would contact the Group Operations Duty Officer (ODO). The ODO completes the Pollution Incident Report and contacts the COTP Duty Investigator. The COTP Duty Investigator would collect all available information concerning the incident, brief the COTP Duty Officer, and make sure State and Local notifications if not already accomplished by the responsible party.

Long Island Sound Area Contingency Plan

APPENDICES

Phase II – Preliminary Assessment and Initiation of Action: Once the notification phase has been completed, the COTP Duty Investigator would respond to the scene of the incident, determine the extent of the pollution, evaluate the cleanup effort proposed or being conducted by the responsible party, and issue a Letter of Federal Interest to the spiller. First aid equipment (absorbent boom, pads, etc.), if available and required, would be applied. Public affairs actions would be handled by the company's public affairs officer and/or the Group's Public Affairs Officer as required.

Phase III – Containment, Countermeasures: Mitigation of the spill would be handled by the spiller or a contractor hired by the spiller. COTP Duty Investigator would monitor the cleanup effort and make recommendation to federalize the cleanup if action was not adequate or timely.

Phase IV – Documentation and Cost Recovery: Documenting the spill would include MSIS entries and violation case paperwork.

Shortfall. The only shortfall would be due to the response times of pollution investigators in certain parts of the zone.

Variations to Scenario. This scenario could take place anywhere within the boundaries of the COTP Long Island Sound zone. Spill sources could include a facility, vessel (barge or ship), or any of the miscellaneous sources in the zone. The product spilled could be any of those transported in this zone. The one major variation would be federalization of the spill due to inadequate cleanup or non-acceptance of the cleanup.

Maximum Most Probable Discharge

Scenario Definition. On a December Friday, at approximately 1400 hours, a 420 foot barge with a draft of 30 feet, runs hard aground in the vicinity of Southwest Ledge. The barge is carrying 4 million gallons of # 6 fuel oil, headed for a facility in New Haven. The number 1 and 2 starboard tank, holding 300,000 gallons each, have been holed and are leaking at a moderate rate (50,000 gallons/hour). The tug captain reports the incident to Group/MSO Long Island Sound. At the time of the incident, weather conditions are: wind – 15 kts WNW, visibility ½ mile, improving to 2 miles after first hour, ceiling 1000 ft, seas – 2 ft, precipitation – snow. The wind shifts to the Southwest after 6 hours. The tide is low and the current is SBF. 300,000 gallons of product are spilled over a 6-hour period. The area of impact is New Haven harbor and Connecticut shoreline from Pond Point to Sachem Head. The owners of the barge are contacted, but their plan to respond to the incident is not viewed as adequate by the COTP. As OSC, the COTP makes the decision to open a federal project for this incident. CGC Bollard is breaking ice on the Connecticut River and unavailable as a resource. All Small Boat Stations are in one ready boat status.

Response Strategy

Response actions will follow the response phases and objectives directed by the National Contingency Plan (NCP). Priority of action will be as follows: ensure safety of personnel, secure the source, protect vulnerable areas, contain oil and prevent further migration, and conduct removal and disposal operations.

Long Island Sound Area Contingency Plan

APPENDICES

Phase 1 – Discovery and Notification: The Group Operations Duty Officer (ODO) and/or the Duty COTP Investigator, if on board, are key individuals in Group/MSO Long Island Sound initial spill response actions. Based upon standing orders, they will initiate many of the early action items necessary to ensure a successful response to a major oil spill.

- Actions**
- (1) Complete the Oil Pollution Incident Report.
 - (2) Immediately dispatch a patrol boat from Station New Haven to the scene of the incident.
 - (3) Complete the Notification Checklist and initiate recall of critical personnel including COTP, Alternate COTP, MEP Officer, COTP Duty Officer, Duty Investigator, Group Command Duty Officer, Operations Officer, Assistant Operations Officer, Corpsman, etc..
 - (4) Document existing weather, tide, and current conditions and obtain weather forecasts for the next several days.
 - (5) Complete/transmit the initial POLREP.

Phase II – Preliminary Assessment and Initiation of Action: Efforts during this phase of the response will determine the extent of the spill and the scope of the response necessary to mitigate the spill. Resources and personnel will have to be requested from various sources to build a response organization and to mobilize the necessary response assets capable of handling the spill. There will be a heavy dependence on “outside” of the zone personnel to build the response organization (LAST, USN, augmentation from other MSO’s).

- Actions**
- (1) Dispatch a survey team consisting of pollution investigators, marine inspectors, marine investigator and Corpsman (augmented later by LAST advisor and contractors when available).
 - (2) Obtain diving resources to perform underwater surveys of the barge.
 - (3) Initiate mobilization of critical personnel (SSC, LAST advisory personnel, etc.) and response resources (especially getting initial containment boom at the source as quickly as possible); key floating assets will be requested/deployed ASAP (WLB/WLM, WPB, UTB’s, etc).
 - (4) Establish and enforce a safety zone from Pond Point to the Dumping Ground to Sachem Point including New Haven Harbor and approach channels to control vessel traffic.
 - (5) Request overflights including (Aireye and EPIC) and develop oil spill trajectories to track the movement of the oil.
 - (6) Conduct initial assessment of at-risk sensitive shoreline areas – begin coordination with DEP to mobilize personnel, boats, boom, etc.
 - (7) Hold an initial press briefing and establishing recurring press briefings for the response effort.
 - (8) Activate Region I RRT and Region II RRT for determinations on burning and dispersant use.

Long Island Sound Area Contingency Plan

APPENDICES

Phase III – Containment Countermeasures: In this scenario, the tides in the vicinity the grounding are relatively weak. The type of product (high pour # 6 fuel oil) and the temperature of the water severely reduce the effectiveness of using skimmers to recover the product. However, conditions during this spill make the containment at the source desirable and feasible. 30% (100,000 gallons) of the product is expected to be released to the environment before containment at the source will be accomplished. Shoreline, open water, and source suppression cleanup efforts will have to be flexible to cope with the weather and tidal current conditions. Mechanical methods will play a major role in all aspects of cleanup. Skimmers and vac trucks will be used when conditions permit. Barges with crane and bucket will probably be required for recovery given the product involved and the time of year. Response and salvage operations will be conducted through combination of CG (LAST), SUPSAL, and contractor assets. Top priority will be given to securing the source (lightering, salvage, moving to safe berth) and protecting sensitive areas. Oil samples will be taken at every cleanup site to support cost recovery efforts.

Actions

- (1) Deploy primary and secondary boom around the barge.
- (2) Obtain lightering barges for removing product from the barge's damaged tanks, crane and work barges to perform salvage and open water mechanical recovery operations.
- (3) Establish a Command Post at the Group/MSO Long Island Sound New Haven Complex that will support the OSC's Spill Response Staff and an operations Tactical command Center (co-locate DEP personnel); use Lighthouse Point Park for remote shoreline – protection/beach cleanup command center. . .coordinate with DEP/locals.
- (4) Deploy boom at 10 different locations to protect sensitive/vulnerable areas on the Connecticut shore from New Haven to Sachem Head.
- (5) Organize and deploy the workforce and spill monitors for shoreside cleanup operations along the expected area of impact.
- (6) Stage and deploy open water recovery equipment to recover product or collect product and transport it to a location where it can be recovered.
- (7) Establish and enforce an incident occupational health and safety program to inform cleanup personnel about the hazards involved in working with the oil and precautions to be taken when conducting cleanup operations.
- (8) In conjunction with DEP, oversee proper disposal of recovered material.
- (9) Continue press briefings.

Phase IV – Documentation and Cost Recovery: Documentation and Cost Recovery will be conducted in accordance with CCGDONE and MLCLANT instructions.

Actions

- (1) Maintain a daily account of all cleanup activities.

Long Island Sound Area Contingency Plan

APPENDICES

- (2) Collate all cost accounting worksheets from the entire spill cleanup effort.
- (3) Process violation case paperwork.
- (4) File the OSC's report with CCGDONE.

Variations to Scenario. This scenario could take place at any of the harbor entrances within the boundaries of the COTP Long Island Sound zone. Vessel types could be either ship or barge (self-propelled or not). The product spilled could be any of those transported in the zone. Variations in weather and tidal current conditions will produce significant differences in the area of shoreline impact and the ability to conduct cleanup operations.

Resource Calculations.

Oil: No. 6, Group VI, Persistent
Volume: 7143 bbls (300,000 gals)
Emulsification factor: 1.4
Planned % on shore recovery: 70%
Planned % on water recovery: 50%
On shore recovery: $7143 \times 1.4 \times .7 = 7000$ bbls
On water recovery: $7143 \times 1.4 \times .5 = 5000$ bbls
Tier One resources (24 Hours) = 750 bbls
Tier Two resources (48 Hours) = 1250 bbls
Tier Three resources (72 Hours) = 2000 bbls

Shortfall. To be determined.

Worst Case Discharge

Scenario Definition. An 800 foot foreign flag tank ship carrying 16.6 million gallons of No. 6 fuel oil (80 DEG pour point) destined for a facility on the north shore of Long Island, runs hard aground on Valiant Rock. The time of the incident is 0200 Sunday. The grounding has caused severe damage to all tanks. The master has informed the Group that the vessel is discharging oil at a very high rate. The season is spring (May). The following weather conditions exist at the time: wind – 15 kts s, temp – 50 F, seas – 2 ft, vis – 5 miles. The current is SBF+3. Approximately 6 million gallons of product are spilled over a period of 8 hours. 4 million gallons are spilled in the first three hours. Booming at the source is ineffective given current weather conditions. The initial area of impact is the Connecticut shoreline from the mouth of the Connecticut River to Little Narragansett Bay. Fishers Island, Gardner's Bay and the Rhode Island shorelines are impacted after several tidal cycles. The owners of the vessel cannot be contacted.

Long Island Sound Area Contingency Plan

APPENDICES

Response Strategy. Response actions will follow the response phases and objectives directed by the National Contingency Plan (NCP). Priority of action will be as follows: ensure safety of personnel, secure the source, protect vulnerable areas, contain oil and prevent further migration, and conduct removal and disposal operations.

Phase I – Discovery and Notification: The Group Operations Duty Officer (ODO) and/or the Duty COTP investigator, if on board, are key individuals in Group/MSO Long Island Sound initial spill response actions. Based upon standing orders, they will initiate many of the early action items necessary to ensure a successful response to a major oil spill.

- Actions**
- (1) Complete the Oil Pollution Incident Report.
 - (2) Immediately dispatch a patrol boat from Station New London (Fishers Island Detachment) to the scene of the incident.
 - (3) Complete the Notification Checklist and initiate recall of critical personnel, including COTP, Alternate COTP, MEP Officer, COTP Duty Officer, Duty Investigator, Group Command Duty Officer, Operations Officer, Assistant Operations Officer, Corpsman, etc.
 - (4) Document existing weather, tide, and current conditions and obtain weather forecasts for the next several days.
 - (5) Complete/transmit the initial POLREP.

Phase II – Preliminary Assessment and Initiation of Action: Efforts during this phase of the response will determine the extent of the spill and the scope of the response necessary to mitigate the spill. Resources and personnel will have to be requested from various sources to build a response organization and to mobilize the necessary response assets capable of handling the spill. Given the severity of this casualty, based upon first reports and confirmed by the Fishers Island UTB, massive influx of “outside” response assets will be required . . .the request for additional “outside” resources will be initiated almost immediately (NST, SSC, PIAT, SUPSALV, contractors, WLB/WLM’s, UTB’s, augmentation from adjacent MSO’s, A/C overflights, etc.).

- Actions**
- (1) Dispatch a survey team consisting of pollution investigators, marine inspectors, marine investigator and corpsman (augmented later by LAST advisor and contractors when available).
 - (2) Obtain diving resources to perform underwater surveys of the vessel.
 - (3) Initiate mobilization of critical personnel (SSC, LAST advisory personnel, etc.) and response resources (especially getting initial containment boom at the source as quickly as possible) key floating assets will be requested/deployed ASAP (WLB/WLM, WPB, UTB’s, etc.).
 - (4) Establish and enforce a safety zone for Block Island Sound and the eastern end of Long Island Sound to control vessel traffic.
 - (5) Request overflights (Aireye and EPIC) and develop oil spill trajectories to track the movement of the oil.
 - (6) Activate Region I and Region II RRTs for determinations on burning and dispersant use.
 - (7) Make initial assessment of at-risk sensitive shoreline areas . . .begin coordination with DEP and DEC to mobilize personnel, boats, booms, etc.

Long Island Sound Area Contingency Plan

APPENDICES

(8) Hold an initial press briefing and establish recurring press briefings for the response effort.

(9) Activate Region I RRT for the determinations on burning and dispersant use.

Phase III – Containment, Countermeasures: In this scenario, the tidal currents in the vicinity of the grounding are among the strongest in the COTP LIS zone. These currents and the high rate of discharge severely limit the possibility of containing the spill at the source. A true “slack” water condition never occurs at the Race. The slowest currents are present just before the flood tide. The greatest problem in this scenario is the rapidity at which the product will be released and dispersed. Most of the product in the damaged tanks will be released to the environment before containment will be in place. In this scenario, an attempt would be made to place boom around the vessel approximately 3 hours after the incident occurs (“slack” water before the ebb) and to use free floating boom corralling techniques to capture higher concentrations of the product. Large quantities of open water boom will be required. Clearly, fixed point booming systems and recovery operations will not work in The Race environment. Most booming operations will concentrate on protecting high-risk sensitive areas. Shoreline cleanup will be labor intensive and long term. Mechanical methods will play a major role in all aspects of cleanup. Skimmers and vac trucks will be used when conditions permit. Oil samples will be taken at every cleanup site to support cost recovery efforts.

Product type and environmental conditions are likely to make dispersant and burning techniques ineffective.

Lightering and salvage operations will receive the highest priority in our response efforts given the vulnerability of the tanker while aground in The Race, the danger of working in this critical waterway, and the amount of product remaining in its tanks.

- Actions**
- (1) Deploy primary and secondary boom around the vessel during the first available “slack” water.
 - (2) Obtain lightering barges for removing product from the ship’s damaged tanks, crane and work barges to perform salvage and open water mechanical recovery operations.
 - (3) Establish a Command Post at Station New London that will support the OSC’s Spill Response Staff, an operations Tactical Command Center and a Public Affairs Center.
 - (4) Establish Satellite Command Posts as necessary. Beach cleanup control stations at Harkness Memorial Park, Waterford and Rocky Neck State Park, East Lyme.
 - (5) Establish equipment staging areas at Sub Base New London, Station New London, Fishers Island Detachment and Orient Point. Utilize Trumbull Airport, Groton, CT for air deliveries. Dedicated logistic platforms will be required (WLB’s, WLM’s).

Long Island Sound Area Contingency Plan

APPENDICES

(6) Deploy boom at over 50 different locations to protect sensitive/vulnerable areas on the Connecticut shoreline from the Connecticut River to Little Narragansett Bay. Fishers Island, Gardner's Bay, and Rhode Island shorelines.

(7) Organize and deploy the workforce and spill monitors for shoreside cleanup operations along the expected area of impact.

(8) Stage and deploy open water recovery equipment to recover product or collect product and transport it to a location where it can be recovered.

(9) Establish and enforce an incident occupational health and safety program to inform cleanup personnel about the hazards involved in working with the oil and precautions to be taken when conducting cleanup operations.

(10) In conjunction with Connecticut DEP, New York DEC – oversee proper disposal of recovered material.

(11) Continue overflights and spill tracking.

(12) Continue press briefings.

Phase IV – Documentation and Cost Recovery: Documentation and Cost Recovery will be conducted in accordance with CGDONE and MCLANT instructions.

- Actions**
- (1) Maintain daily account of all cleanup activities.
 - (2) Collate all cost accounting worksheets from the entire spill cleanup effort.
 - (3) Process violation case paperwork.
 - (4) File the OSC's report with CGDONE.

Variation to the Scenario. A scenario of this magnitude could occur at any of the major navigation hazards located in the eastern third of the zone. (Tankers of this size are destined for the offshore platform at Northville or for lightering well off New Haven Harbor.) It could involve any of the tank ships that enter or leave the Sound at the eastern end. The product spilled in this scenario could have been No. 2 fuel oil or gasoline. Variations in weather and tidal current conditions will produce significant differences in the area of shoreline impacted and the ability to conduct cleanup operations.

Resource Calculations.

Oil: No. 6, Group VI, Persistent

Volume: 395,000 bbls

Emulsification factor: 1.4

Planned % on shore recovery: 70%

Planned % on water recovery: 50%

On shore recovery: $395,000 \times 1.4 \times .7 = 387,100$ bbls

On water recovery: $395,000 \times 1.4 \times .5 = 276,500$ bbls

Tier One resources (24 Hours) = 41,475 bbls

Long Island Sound Area Contingency Plan

APPENDICES

Cap (10,000 bbls)

Tier Two resources (48 Hours) = 69,125 bbls

Cap (20,000 bbls)

Tier Three resources (72 Hours) = 154,840 bbls

Cap (40,000 bbls)

Estimated amount of oil spill/debris waste to be generated = 9,000 tons.

Shortfall. To be developed.

9400 List of Agreements

Interagency Agreements and Acronyms

MOU between the U.S. Coast Guard and the Environmental Protection Agency for Funding Vendor Costs Incurred by the U.S. Coast Guard During Emergency Response to Releases or Threats of Releases of Hazardous Substances -- Signed 04 January 1982.

MOU between the Departments of the Interior and Transportation Concerning Respective Responsibilities Under the National Oil and Hazardous Substances Pollution Contingency Plan -- Signed 16 August 1971.

Interagency Agreement (IAA) between the U.S. Fish and Wildlife Service and the U.S. Coast Guard for Participation in Pollution Incidents -- Signed 24 July 1979.

Instrument of Redelelegation of Sections 2(d), 2(f), 2(g), 3(a), and 4(b) of Executive Order 12316 of August 14, 1981 from the U.S. Coast Guard to the Environmental Protection Agency on Response Actions -- Signed 09 October 1981. MOU between USCG D1, US EPA REG II, US DOI, NOAA, NJ DEP, and NY DEC concerning the use of dispersants in COTP NY and COTP LIS zones.

MOU between USCG D1, US EPA REG II, US DOI, NOAA, NJ DEP, and NY DEC concerning the use of In-Situ Burning in COTP NY and COTP LIS zones.

Summary of Dispersant Agreements in the First Coast Guard District (RRTs I and II)

Summary of In-situ Burning Agreements in the First Coast Guard District (RRTs I and II)

9500 Conversions

For a table of conversions see the [IMH](#) OR

[Metric and U.S. Equivalents and Conversion Factors.](#)

[Online metric converter - US customary & metric conversions for unit measurements](#)

Long Island Sound Area Contingency Plan

APPENDICES

9600 List of Response References

9610 Relevant Statute/Regulations/Authorities List

Federal Water Pollution Control Act (FWPCA), [33 United States Code \(USC\) 1321](#), Section 311 is designated to restore and maintain the chemical, physical, and biological integrity of our Nation's waters. To accomplish this, predesignated Federal On-Scene Coordinator's (FOSCs) are provided by the Environmental Protection Agency (EPA) or U.S. Coast Guard (USCG) with full authority to respond to oil and designated hazardous substance spills into or upon navigable waters or adjoining shorelines of the United States. The FOSC is required to initiate enforcement activities for the FWPCA violations. The FWPCA was amended in 1977 and became known as the [Clean Water Act \(CWA\)](#).

The Oil Pollution Act of 1990 (OPA 90), [33 USC 2701](#) et seq. amended the CWA.

[Executive Order 12777, 22 October 1991](#), 59 FR 54757 has delegated the function of designating areas, appointing Area Committee members, determining the information to be included in the Area Contingency Plans, and reviewing and approving Area Contingency Plans to the Commandant of the U.S. Coast Guard (through the Secretary of Transportation) for the coastal zone, and to the Administrator of the Environmental Protection Agency for the inland zone. The U.S. Coast Guard has designated as areas, those portions of the Captain of the Port zones, which are within the coastal zones described in [33 CFR Part 3](#).

Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA), [42 USC 9601](#) et. seq delegates the response authority.

Resource Conservation and Recovery Act (RCRA), [42 USC 6902](#) et seq. was established to ensure that hazardous wastes are disposed of properly. It mandates regulations to trace hazardous wastes from the point of generation through final disposal (cradle-to-grave) and to assure that waste disposal practices do not pose a threat to humans or the environment.

Under OPA 90, the responsible party has primary responsibility for cleanup of a discharge. The response shall be conducted in accordance with their applicable response plan. Section 4201(a) of OPA 90 states that an owner or operator of a tank vessel or facility participating in removal efforts shall act in accordance with the National Contingency Plan and the applicable response plan required. Section 4202 of OPA 90 states that these response plans shall be consistent with the requirements of the National Contingency Plan and Area Contingency Plans and:

- ❑ Identify the qualified individual having full authority to implement removal actions, and require immediate communications between that individual and the appropriate Federal official and the persons providing personnel and equipment pursuant to clause (iii);
- ❑ Identify, and ensure by contract or other means approved by the President, the availability of private personnel and equipment necessary to remove to the maximum extent practicable a worst case discharge (including a discharge resulting from fire or explosion), and to mitigate or prevent a substantial threat of such a discharge;

Long Island Sound Area Contingency Plan

APPENDICES

- ❑ Describe the training, equipment testing, periodic unannounced drills, and response actions of persons on the vessel or at the facility, to be carried out under the plan to ensure the safety of the vessel or facility and to mitigate or prevent the discharge, or the substantial threat of a discharge;
- ❑ Be updated periodically; and
- ❑ Be resubmitted for approval after each significant change.

Response Plans: Each owner or operator of a tank vessel or facility required by OPA 90 to submit a response plan shall do so in accordance with applicable regulations. Facility and tank vessel response plan regulations, including plan requirements, are located in [33 CFR Parts 154](#) and [155](#), respectively.

Oil Spill Liability: As defined in OPA 90, each responsible party for a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining shorelines of the U.S. or the Exclusive Economic Zone is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90.

Any removal activity undertaken by a responsible party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the Area Contingency Plan, and the applicable response plan required by OPA 90. If directed by the FOSC at any time during removal activities, the responsible party must act accordingly.

Chemical Release Liability: Each responsible party for a vessel or facility from which a hazardous substance is released, or which poses a substantial threat of release, is liable for removal costs as specified in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), [42 USC 9601](#) et seq.).

9620 Relevant Instructions/Guidelines/Standard Procedures and Practices List

The U.S. Coast Guard [National Pollution Funds Center \(NPFC\)](#) administers the Oil Spill Liability Trust Fund (OSLTF) and the portion of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) funding accessible to the U.S. Coast Guard. These funds are used to support liability and compensation regimes pertaining to pollution from oil and hazardous substances, respectively.

9630 Job Aids/Links

9630.1 [IMH](#)

Roles and responsibilities of the logistics section can be found in the [Incident Management Handbook](#) or [ICS Job Aids](#).

9630.2 Pollution Response Aids

[Pollution Response](#) Section from Group/MSO Long Island Sound **Quick Response Card (QRC) Index**.

[Pollution Response Action Checklist](#).

Long Island Sound Area Contingency Plan

APPENDICES

9630.3 ICS Forms

- 201 [Incident Briefing](#)
- 202 [Incident Objectives](#)
- 203 [Organization Assignment List](#)
- 204 [Division Assignment List](#)
- 205 [Incident Radio Communications Plan](#)
- 206 [Medical Plan](#)
- 207 [Organization Chart](#)
- 209 [Incident Status Summary](#)
- 211 [Incident Check-in List](#)
- 213 [General Message Form](#)
- 214 [Unit Log](#)
- 215 [Operational Planning Worksheet](#)
- 215A [Incident Action Plan Safety Analysis](#)
- 216 [Radio Requirements Worksheet](#)
- 218 [Support Vehicle Inventory](#)
- 220 [Air Operations Summary](#)
- 221 [Demobilization Checkout](#)
- 224 [Crew Performance Rating](#)
- 225 [Incident Personnel Performance Rating](#)
- [ICS Form Summary Document](#)
- [Incident Management Team Checklist](#) (OSHA Abatement Plan)

- [Electronic ICS Forms Link](#)

9630.4 Dispersant MOU/Maps/Charts

MEMORANDUM OF UNDERSTANDING

Long Island Sound Area Contingency Plan

APPENDICES

Among
U.S. Coast Guard District 1 (USCG)
and
U.S. Environmental Protection Agency Region II (EPA)
and
U.S. Department of the Interior (DOI)
and
U.S. Department of Commerce/
National Oceanic and Atmospheric Administration (DOC/NOAA)
and
State of New Jersey Department of Environmental Protection
and Energy (NJDEPE)
and
New York State Department of Environmental Conservation (NYSDEC)

PURPOSE

This Memorandum of Understanding (MOU) is designed to implement sections of Subpart J of the National Oil and Hazardous Substances Contingency Plan (NCP) and implement the requirements of 33 USC 1321(j)(4)(C)(v), the Federal Water Pollution Control Act (FWPCA), as amended by the Oil Pollution Act of 1990, that the Area Contingency Plan (ACP) shall "describe the procedures to be followed for obtaining an expedited decision regarding the use of dispersants." This MOU provides preauthorization for the use of chemical countermeasures (listed in the NCP Product Schedule) by the USCG On-Scene Coordinator. This pre-approval applies only in designated zones in the Captain of the Port New York (COTP-NY) geographic area of responsibility and the Captain of the Port of Long Island Sound (COTP-LIS) geographic area of responsibility.

This MOU also implements Subpart J (Use of Dispersants and Other Chemicals) and Appendices M and N of the Region II NY/NJ Regional Contingency Plan (RCP).

This MOU will be incorporated into Subpart J of the RCP and preempts any pre-existing MOUs.

Long Island Sound Area Contingency Plan

APPENDICES

AUTHORITY

Section 311(d)(2)(G) of the FWPCA requires that the NCP include a schedule for identifying "dispersants, other chemicals, and other spill mitigating devices and substances, if any, that may be used in carrying out" the NCP. These are referred to as "chemical countermeasures" and are listed on the NCP Product Schedule. The responsibility to maintain the NCP Product Schedule was delegated to the Administrator, Environmental Protection Agency, by Executive Order 12777, and is carried out under Subpart J of the NCP.

Subpart J of the NCP provides that the Federal On-Scene Coordinator (FOSC) with the concurrence of the EPA representative to the (RRT) and the States with jurisdiction over the navigable waters threatened by the oil discharge, and in consultation with DOC and DOI natural resource trustees, may authorize the use of chemical and biological countermeasures on oil discharges; provided however, that such chemical and biological countermeasures are listed in the NCP Product Schedule. Subpart J further authorizes agreements for the advance approval of the use of chemical and biological countermeasures listed in the NCP Product Schedule under specific circumstances.

Commandant, United States Coast Guard, has pre-designated the USCG COTP-NY as the FOSC for oil discharges in the COTP-NY zone (as defined in 33 CFR Part 3 and subject to joint response boundary agreements with EPA), and has delegated to the COTP the authority and responsibility for compliance with the FWPCA.

Commandant, United States Coast Guard, has pre-designated the USCG COTP-LIS as the FOSC for oil discharges in the COTP-LIS zone (as defined in 33 CFR Part 3 and subject to joint response boundary agreements with EPA), and has delegated to the COTP the authority and responsibility for compliance with the FWPCA.

The Governor of the State of New Jersey has designated the Commissioner of NJDEPE the authority and responsibility for providing approval for the use of chemical countermeasures for control of oil spills.

The Governor of the State of New York has designated the Commissioner of NYSDEC the authority and responsibility for providing approval for the use of chemical countermeasures for control of oil spills.

The US DOI and DOC/NOAA are designated Federal trustees of certain natural resources under Subpart G of the NCP and are to be consulted regarding the determination to apply chemical countermeasures to oil discharges in U.S. waters.

This MOU constitutes pre-consultation (for DOC/NOAA and DOI) and pre-concurrence (for USCG, EPA, NYSDEC and NJDEPE) for the use of

Long Island Sound Area Contingency Plan

APPENDICES

chemical countermeasures in the preapproved area (Zone 1) and for the trial application in the specific areas designated within Zone 2.

SCOPE

The USCG, EPA, DOI, DOC/NOAA, NJDEPE, and NYSDEC agree that the primary method of cleaning up oil shall be the physical removal of oil from the environment. These agencies recognize that in certain circumstances timely effective physical containment, collection, and removal of the oil may not be possible, and the utilization of chemical countermeasures, alone or in conjunction with other removal methods, may be considered as a means to minimize substantial threat to public health or welfare, or minimize serious environmental damages.

This MOU establishes advance approval under which NCP product schedule chemicals may be used by the FOSC in certain waters of the COTP-NY and COTP-LIS zones (defined in 33 CFR Part 3). The waters of COTP-NY and COTP-LIS are divided into three zones for the purposes of this MOU (see figure 1). The geographic areas and advance approval conditions are as follows:

Zone 1 - Advance Approval Zone

Geographic scope:

Zone 1 is defined as waters under the jurisdiction of COTP-NY and COTP-LIS that lie 3nm and seaward of the Territorial Sea Baseline (as defined in 33 CFR 2.05-10) along the coast of New Jersey (north of the demarcation of the jurisdiction of COTP Philadelphia) and along the south shore of Long Island (New York) west of a line from Montauk Point Light bearing 132 T to the outermost extent of the Exclusive Economic Zone.

Advance approval for Zone 1:

This MOU provides the FOSC with advance approval to use chemical countermeasures listed in the NCP Product Schedule in Zone 1 following the protocols listed later in this MOU.

Zone 2 - Trial Application Zone

Geographic scope:

Zone 2 is defined as waters under the jurisdiction of COTP-NY and COTP-LIS that lie between 0.5nm and 3nm from the Territorial Sea Baseline along the coast of New Jersey (north of the demarcation of the jurisdiction of COTP-Philadelphia) and along the south shore of Long Island (New York) west of a line from Montauk Point Light bearing 132 T, exclusive of all bays and coves. In addition, specific water bodies are also included in Zone 2, and are as follows:

Hudson River south of George Washington Bridge
Upper New York Bay
The Narrows
Lower New York Bay

Long Island Sound Area Contingency Plan

APPENDICES

Raritan Bay excluding Spermaceti Cove and not within 0.5 nautical miles of Sandy Hook, New Jersey
Arthur Kill
Newark Bay up to mouths of Passaic and Hackensack Rivers
Kill Van Kull
East River south of Throgs Neck Bridge
Long Island Sound within COTP-NY area of responsibility only, excluding Little Bay, Little Neck Bay, Manhasset Bay, Hempstead Harbor, Eastchester Bay, Pelham Bay and not within 0.5nm of the northern shore of Long Island.

Advance approval for Zone 2:

This MOU provides the FOSC with advance approval to use chemical countermeasures listed in the NCP Product Schedule on a trial basis in Zone 2 following the protocols listed later in this MOU, unless otherwise prohibited in local Area Contingency Plans. The trial application will not take place if threatened or endangered species are known to be present. The trial application will be performed on a portion of the spill covered by less than 1,000 gallons to determine the product's efficacy on the specific oil under the current set of environmental and meteorological conditions. The quantity of chemical countermeasures utilized should not exceed 110 gallons. The trial application may begin prior to the initial request to the RCP concurrence network for operational use of the chemical countermeasures on a greater portion of the spill. This initial application will be supervised by a trained observer (USCG Strike Team, NOAA Scientific Support Coordinator, etc.) and be reported as qualitative observation (pass/fail). Results of the trial will be reported to the RRT as soon as they are available. A positive efficacy trial should not mean that the chemical countermeasure may automatically be extensively applied as there are many other factors to be weighed in the decision process. This trial application is solely for the purpose of determining if the time and effort should be expended to seek further clarification of the incident-specific issues and concurrence for operational use. If the trial application fails to produce significant results the request for further use will not be made.

Zone 3 - Exclusion zone

Geographic Scope:

Zone 3 is defined as the waters under the jurisdiction of COTP-NY and COTP-LIS that lie within 0.5 nm of the Territorial Sea Baseline along the coast of New Jersey (north of the demarcation of the jurisdiction of COTP-Philadelphia) and along the south shore of Long Island (New York) west of a line from Montauk Point Light bearing 132 T, including all bays and coves. Zone 3 also includes the Hudson River north of the Tappan Zee Bridge, and Long Island Sound, with the exception of the COTP-NY portion described in Zone 2.

Long Island Sound Area Contingency Plan

APPENDICES

Advance approval for Zone 3:

No advance approval is given in Zone 3. Use of chemical countermeasures is not recommended in this Zone. Any request for the use of chemical countermeasures must be accepted by the RCP concurrence network and must follow the guides in the RCP and ACP.

PROTOCOLS

As attested by the signatures set forth at the end of this document, the USCG, EPA, DOI, DOC/NOAA, NJDEPE, and NYSDEC agree that the predesignated FOSC has the authority and may order the use of chemical countermeasures on oil discharges using the guides found in the Subpart J and Appendix M of the Region II RCP and Annex G of the COTP-NY and COTP-LIS ACPs and subject to the following conditions:

1. The decision to use chemical countermeasures within these guidelines rests solely with the pre-designated USCG FOSC.
2. The FOSC may authorize the use of chemical countermeasures on a release or discharge to prevent or substantially reduce the hazard to human life without obtaining concurrences from EPA, affected states, DOI, DOC/NOAA, without following protocols established in this MOU, and without following the guides in the RCP and ACP. If dispersants are used in this manner, notifications to EPA, affected states, DOI and DOC/NOAA shall be made as soon as practicable. Once the risk to human life has subsided, these exceptions no longer apply.
3. In the preapproved area (Zone 1) NCP Product Schedule chemical countermeasures may be used by the FOSC without further concurrence or consultation with the RCP concurrence network.
- 4(a) For a trial application in Zone 2 areas designated under "Scope" of this MOU no further concurrence or consultation prior to a decision to apply chemical countermeasures need be initiated by the FOSC provided the procedures outlined in the "RRT OSC Dispersant Decision Process" in Subpart J of the Regional Contingency Plan have been followed.
- 4(b) For operational use in Zone 2, the FOSC must follow the "RRT OSC Dispersant Decision Process" which includes the concurrence of USCG, EPA, and the affected state(s), and consultation of DOI and DOC/NOAA. The information obtained during the decision process needs to be provided to these agencies.

Long Island Sound Area Contingency Plan

APPENDICES

5. The USCG agrees with EPA, DOI, DOC/NOAA and the states that if a decision has been made to use chemical countermeasures under the provisions of this agreement, the FOSC will immediately notify EPA, DOI, DOC/NOAA and the states of that decision. This initial notification will include, but is not limited to, the following information to the extent available:

Type and amount of oil discharged
Area affected
The projected area of impact of the oil if not dispersed
Reasons why chemical agent has been selected
Type of chemical agent to be used
Application rate and method of application
On-scene weather
6. Only chemical countermeasures listed on the NCP Product Schedule shall be considered for use.
7. If chemical countermeasures are used as described in this MOU or for the protection of human life, a post incident debriefing will take place within 45 days to gather information concerning the effectiveness of chemical agents use and whether any changes to this agreement are necessary. The debriefing will be chaired by the USCG FOSC arranging the time, place, and date of the debrief. The results of the debrief will be included in the FOSC report.
8. Monitoring will be initiated in accordance with the monitoring protocols developed for each of the different zones.

AMENDMENTS

This Memorandum of Understanding may be amended in whole or in part as is mutually agreeable to all parties thereto.

Area Committees may additionally submit for consideration and approval by the RRT concurrence agencies, further defined areas for use/non-use. Approved amendments shall be found in (future) Appendix I of this MOU.

CANCELLATION

This Memorandum of Understanding may be canceled in whole or in part by any party thereto. Cancellation will take place 30 days following delivery of written notification to each of the agencies participating in this Memorandum of Understanding.

Long Island Sound Area Contingency Plan

APPENDICES

SIGNATURES

Capt. Eric J. Williams III, USCG
Commander (m)
First Coast Guard District
RRT Co-Chair

Date

Capt. Thomas H. Gilmour, USCG
Captain of the Port, New York
Federal On-Scene Coordinator

Date

Captain T.W. Allen, USCG
Captain of the Port, Long Island Sound
Federal On-Scene Coordinator

Date

Mr. Richard Salkie
Associate Director for
Removal and Emergency Preparedness Programs
U.S. Environmental Protection Agency, Region II
RRT Co-Chair

Date

Mr. William Patterson
Regional Environmental Officer/Northeast
U.S. Department of Interior
RRT Representative

Date

Long Island Sound Area Contingency Plan

APPENDICES

Ms. Diane Wehner
NOAA/CRC
U.S. Department of Commerce
RRT Representative

Date

Mr. Lance Miller
Assistant Commissioner, Site Remediation Emergency
Response Coordinator
Department of Environmental Protection and Energy
State of New Jersey

Date

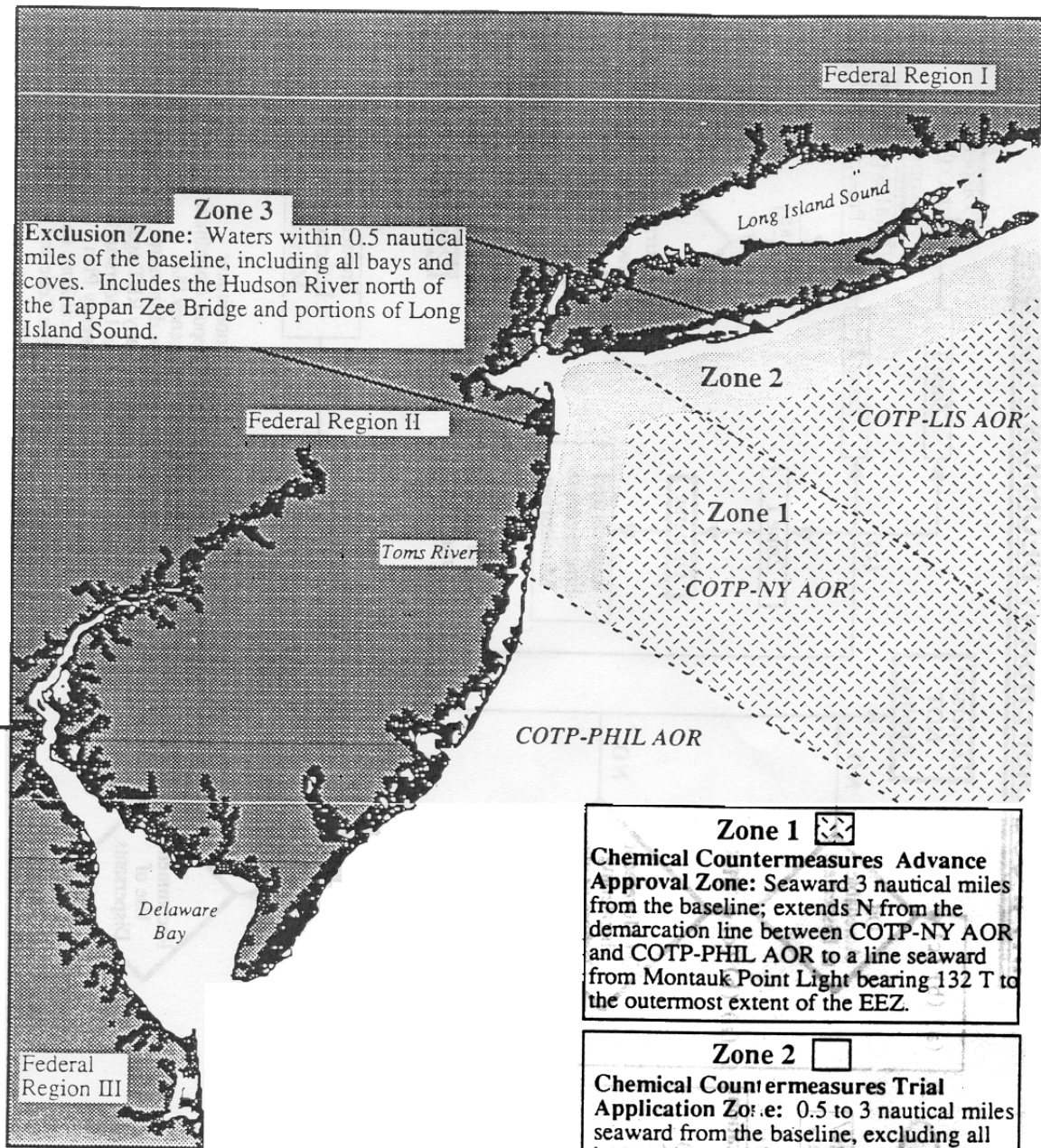
Mr. Thomas Quinn
Assistant Director, Division of Spills Management
Department of Environmental Conservation
State of New York

Date

Long Island Sound Area Contingency Plan

APPENDICES

Region II Chemical Countermeasures Application Zones



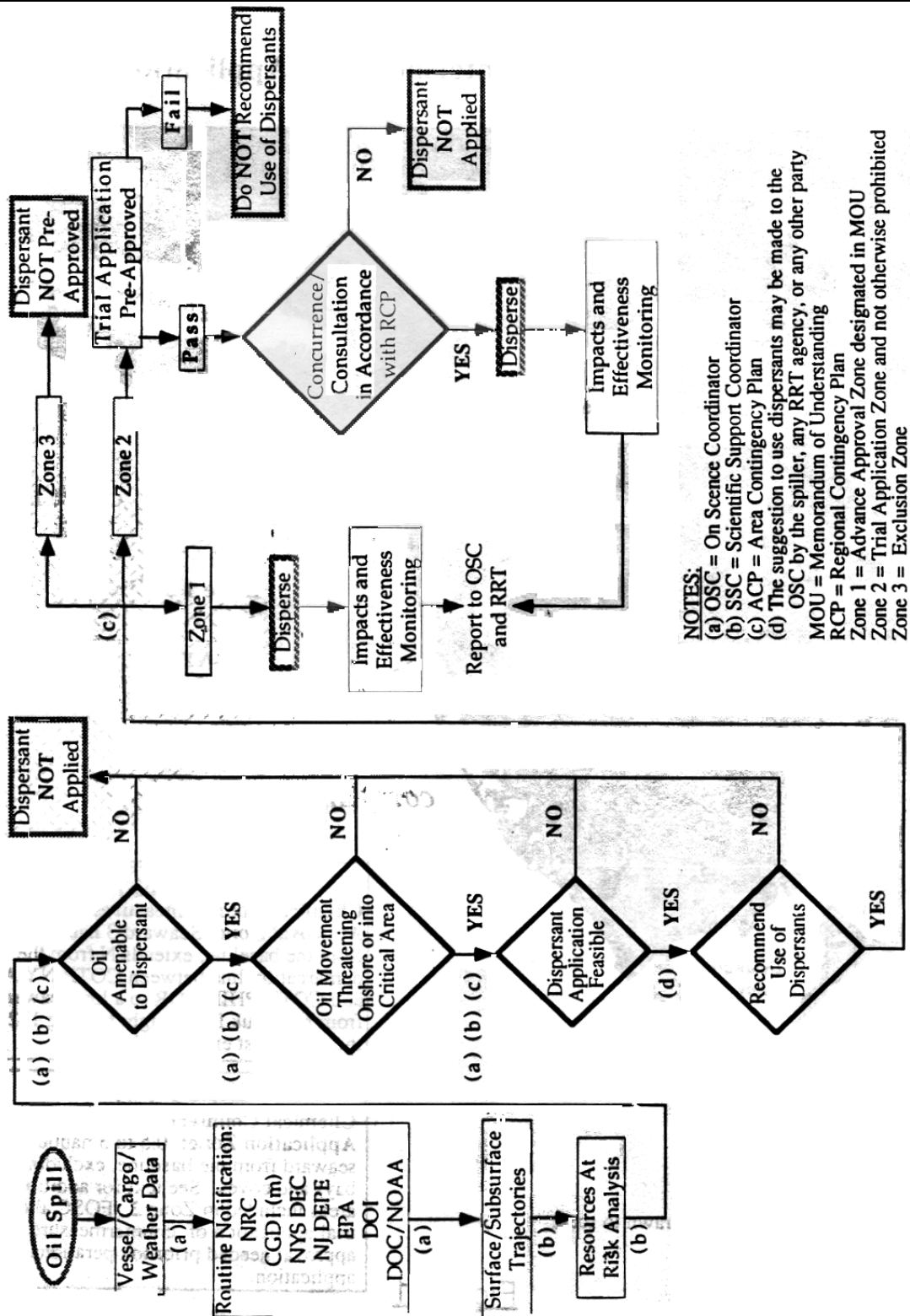
NOTE: Map zones not drawn to scale

Figure 1

Long Island Sound Area Contingency Plan

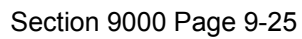
APPENDICES

RRT II OSC DISPERSANT DECISION PROCESS



April 12

APPENDICES



9630.5 In-Situ Burning MOU/Maps

Memorandum Of Understanding

Among
U.S. Coast Guard District 1 (USCGD1)
and
U.S. Coast Guard District 5 (USCGD5)
and
U.S. Environmental Protection Agency Region II (EPA)
and
U.S. Department of the Interior (DOI)
and
U.S. Department of Commerce /
National Oceanic and Atmospheric Administration (DOC/NOAA)
and
State of New Jersey Department of Environmental Protection (NJ DEP)
and
New York State Department of Environmental Conservation (NYS DEC)

PURPOSE

This Memorandum of Understanding (MOU) is designed to implement sections of Subpart J of the National Oil and Hazardous Substances Contingency Plan (NCP) and the requirements of 33 CFR 1321 (j) (4) (C) (v), the Federal Water Pollution Control Act (FWPCA), as amended by the Oil Pollution Act (OPA) of 1990. This MOU provides pre-authorization for use of in-situ burning by the USCG Federal On-Scene Coordinator (OSC) in response to coastal oil discharges within the jurisdiction of the Region II Regional Response Team (RRT).

This MOU will be incorporated into Subpart J of the Regional Contingency Plan (RCP).

AUTHORITY

Subpart J of the NCP specifies that RRT's shall address, as part of their planning activities, the desirability of using appropriate burning agents, and that Regional Contingency Plans shall, as appropriate, include applicable pre-authorization plans and address the specific contexts in which such products should and should not be used.

Subpart J also provides that the OSC, with the concurrence of the EPA representative to the RRT, and the States with jurisdiction over the navigable waters threatened by the oil discharge, and in consultation with the DOC and DOI natural resource trustees, may authorize the use of burning agents on a case-by-case basis.

Commandant, United States Coast Guard, has pre-designated the USCG Captains Of The Port (COTPs) as the OSCs for coastal oil discharges (as defined in 33 CFR Part 3 and subject to joint response boundary agreements with EPA), and has delegated to the COTP the authority and responsibility for compliance with the FWPCA and its amendments.

The Governor of the State of New Jersey has designated the Commissioner of the Department of Environmental Protection (NJ DEP) the authority and responsibility to approve for the use of in-situ burning for the control of oil spills.

The Governor of the State of New York has designated the Commissioner of the Department of Environmental Conservation (NYS DEC) the authority and responsibility to approve for the use of in-situ burning for the control of oil spills.

The DOI and DOC/NOAA are designated Federal trustees of certain natural resources under Subpart G of the NCP and are to be consulted regarding the determination to burn oil in-situ in United States waters.

This MOU constitutes pre-concurrence for USCG, EPA, NYS DEC, NJ DEP, DOC/NOAA, and DOI for the use of in-situ burning in the pre-approved area ("A" zone), and in the conditionally pre-approved area ("B" zone) when wind conditions are favorable.

SCOPE

The USCG, EPA, DOI, DOC/NOAA and the states of New Jersey and New York agree that the primary method of controlling discharged oil shall be the physical removal of the oil from the environment. These agencies recognize that in certain circumstances timely effective physical containment, collection, and removal of the oil may not be possible, and that the utilization of in-situ burning, alone or in conjunction with mechanical removal methods and/or chemical countermeasures, may be considered as a means to minimize substantial threat to public health or welfare, or minimize serious environmental damages.

This MOU establishes the pre-authorized plans for in-situ burning to be used by the OSC in certain waters under the jurisdiction of RRT II. These waters include the Areas of Responsibility (AORs) for the COTPs for Long Island Sound (COTP-LIS), New York (ACT-NY), and Philadelphia (COTP-PHIL). The geographic areas and conditions are as follows (see Figure 1):

1) "A" Zones - Pre-authorization for Open-Water Burning

Geographic Scope:

Zone "A" is defined as waters under the jurisdiction of RRT II and not classified as "B", "C", or "E" zones, that lie 6 nautical miles (nm) and seaward of the Territorial Sea Baseline (as defined in 33 CFR 2.05-10) along the coast of New Jersey (north of the demarcation between Federal Region II and Region III) and along the south shore of Long Island (New York) west of a line from Montauk Point Light bearing 132 degrees True to the outermost extent of the Exclusive Economic Zone (EEZ).

Advance Approval for Zone "A":

Within Zone "A", the decision to use in-situ burning rests solely with the OSC. No further concurrence or consultation on the part of the OSC is required with EPA, DOC/NOAA, DOI, or the states of New York or New Jersey. However, if threatened or endangered species are present in the burn area, then the trustee agency must be consulted prior to initiating burning operations.

The USCG will immediately notify EPA, DOC/NOAA, DOI, and the states of New York and/or New Jersey of a decision to conduct burning within the "A" zone via each agency's respective RRT representative.

2) "B" Zones - Pre-authorization with Favorable Wind Conditions

Geographic Scope:

Zone "B" is defined as waters under the jurisdiction of RRT II and not classified as "A", "C", or "E" zones, that lie between 3 nm and 6 nm from the Territorial Sea Baseline along the coast of New Jersey (north of the demarcation between Federal Region II and Region III) and along the south shore of Long Island (New York) west of a line from Montauk Point Light bearing 132 degrees True.

Advance Approval for Zone "B":

Within Zone "B", the decision to use in-situ burning rests solely with the OSC if and only if the prevailing wind direction is decidedly seaward and is expected to remain in the seaward direction throughout the duration of the planned in-situ burning operations. If this is the case, no further concurrence or consultation on the part of the OSC is required with EPA, DOC/NOAA, DOI, or the states of New York or New Jersey. If the prevailing wind direction is not decidedly seaward, the OSC is required to follow standard consultation and concurrence procedures. In either case, if threatened or endangered species are present in the burn area, then the trustee agency must be consulted prior to initiating burning operations (see Figure 2).

The USCG will immediately notify EPA, DOC/NOAA, DOI, and the states of New York and/or New Jersey of a decision to conduct burning within the "B" zone via RRT representatives.

3) "C" Zones - Waters Requiring Case-by-Case Approval

Geographic Scope:

Zone "C" is defined as waters under the jurisdiction of RRT II and not classified as "A", "B", or "E" zones, that 1) lie within state territorial boundaries, 2) are designated as marine reserves, National Marine Sanctuaries, National or State Wildlife Refuges, units of the National Park Service, or proposed or designated Critical Habitats, or 3) are considered coastal wetlands, including submerged algal beds and submerged seagrass beds.

If the OSC feels that in-situ burning within the "C" zone would be beneficial, a request for authorization must be submitted to EPA, USCG, DOC/NOAA, DOI, and the states of New York and/or New Jersey, along with the information specified in the checklist in Appendix II. The OSC is granted authority to conduct in-situ burning in "C" zones only after consultation with

Long Island Sound Area Contingency Plan

APPENDICES

DOC/NOAA and DOI, and only after concurrence is given by EPA and the affected states. The EPA, USCG, DOC/NOAA, DOI and the affected state(s) will respond to the OSC's request for burning in Zone "C" within four hours of receipt of the information specified in the checklist in Appendix II.

The USCG will immediately notify EPA, DOC/NOAA, DOI, and the states of New York and/or New Jersey of a decision to initiate an approved burn within the "C" zone via each agency's respective RRT representatives.

4) "E" Zones - Exclusion Zones

Geographic Scope:

An "E" zone is defined as an area under the jurisdiction of RRT II and not classified as an "A", "B", or "C" zone, that has been designated by the USCG, EPA, DOC/NOAA, DOI and the states of New York and New Jersey, or the Area Committees as an exclusion zone. These areas will be identified and listed in the appropriate Area Contingency Plans and as attachments to this MOU in the Regional Contingency Plan.

No in-situ burning operations will be conducted in an "E" zone unless 1) in-situ burning is necessary to prevent a clear, immediate, and extreme risk to human health or safety, or 2) an emergency modification of this agreement is made on an incident-specific basis.

Long Island Sound Area Contingency Plan

APPENDICES

PROTOCOLS

As attested by the signatures set forth at the end of this document, the USCG, EPA, DOI, DOC/NOAA, NJ DEP , and NYS DEC agree that the predesignated OSC has the authority and may order the use of in-situ burning on oil discharges using the guidelines found in Subpart J and Appendix M of the Region II RCP and Annex G of the COTP-LIS, ACT-NY, and COTP-PHIL Area Contingency Plans (ACPs) subject to the following conditions:

1. The decision to use in-situ burning on a discharge of oil in accordance with this Agreement rests solely with the pre-designated OSC. This responsibility may not be delegated.
2. The OSC may authorize the use of in-situ burning on a discharge of oil to prevent or substantially reduce the hazard to human life without obtaining concurrence from EPA or the affected states, without following protocols established in this MOU, and without following the guidelines in the RCP and ACPs. If in-situ burning is used in this manner, notification of EPA, USCG, DOC/NOAA, DOI and the affected state(s) shall be made as soon as practicable. Once the risk to human life has subsided, these exceptions no longer apply.

The following protocols assume that risk to human life is not a factor:

3. Prior to any in-situ burn operations, the OSC will review the decision diagram contained in Appendix I.
4. The USCG agrees with EPA, DOI, DOC/NOAA, and the states that if a decision has been made to use in-situ burning under the provisions of this agreement, the OSC will immediately notify EPA, DOI, DOC/NOAA and the states of that decision. This initial notification will include, but is not limited to, the following information to the extent available:
 - Type and amount of oil discharged
 - Area affected
 - The projected area of impact of the oil if not burned
 - Reasons why in-situ burning has been selected as a mitigation technique
 - On-scene weather

Long Island Sound Area Contingency Plan

APPENDICES

5. The checklist form in Appendix II shall be completed for all burns and provided to EPA, USCG, DOC/NOAA, DOI, and the affected state(s) in a timely manner for documentation and informational purposes. If the Responsible Party (RP) requests the use of in-situ burning, members of this organization will be responsible for completing the checklist in Appendix II. If the RP is unknown and the request to burn is made by another party, the OSC will be responsible for completing this checklist.

6. Burning will be conducted by trained professionals using recognized techniques and technology. Burning will be conducted in a way that allows for safe and effective control of the burn to the maximum extent feasible, including the ability to rapidly stop the burn if necessary. Containment and control using fire-resistant boom is recognized as the preferred method of burning. All practical efforts to limit the potential for igniting the source or adjacent, uncontained, or uncontrollable slicks will be made.

7. In-situ burning is advised only when the meteorological and sea conditions are operationally favorable for a successful burn. The OSC will give due consideration to the direction of the wind and the possibility of the wind blowing precipitate over population centers or sensitive resources onshore. A safety margin of 45 degrees of arc on either side of predicted wind vectors should be considered for shifts in wind direction (see Figure 2 for Zone "B" requirements). If conditions change to exceed the safety margins during a burn in Zone B the burn will be extinguished.

8. Health and Safety Concerns -

(a) OPERATORS: Assuring workers' health and safety is the responsibility of employers and the OSC who must comply with all Occupational Health and Safety Administration (OSHA) regulations. Prior to any in-situ burn operations, a site safety plan must be prepared.

(b) PUBLIC: Burning should be stopped if it becomes an unacceptable health risk to the general public. If at any time during burning operations exposure limits are observed to exceed federal air quality standards in nearby populated areas, the OSC will require the operations to be immediately cease. The Level of Concern (LOC) for particulates for the general public in Region II is 150 ug/m³ (PM-10) averaged over one hour. Public advisories may be required prior to initiating a burn.

Long Island Sound Area Contingency Plan

APPENDICES

9. In-situ burning will be conducted in accordance with any consultations approved by the U.S. Fish and Wildlife Service and the NOAA National Marine Fisheries Service under Section 7 of the Endangered Species Act. If threatened or endangered species are present in the burn area, then the trustee agency must be consulted prior to initiating burning operations. Measures will be taken to prevent risk to any wildlife, especially endangered or threatened species. Examples of potential protection methods may include moving the location of the burn to an area where listed species are not present, temporary employment of hazing techniques, if effective, and physical removal of listed species individuals under the authority of the trustee agency. If the risk to endangered or threatened species cannot be eliminated or reduced sufficiently, the burn will not be conducted unless a threat to human life exists.

10. The OSC will make every reasonable effort to continuously evaluate the decision to burn, and allow RRT agencies and the affected states the opportunity for comment. Cognizant representatives from trustee agencies, the potentially impacted state(s), and EPA, will have the responsibility and authority to decide when a burn should be discontinued. Those cognizant representatives, who should be identified by their respective agencies prior to commencement of a burn, must have the verbal authority to call for the burn to be discontinued, since production of a written request in the midst of an operational burn would most likely be impractical. The reason and justification for their request, however, should be subsequently documented and submitted to the OSC for the record. Requests to discontinue a burn, when submitted by agencies with trustee authority, will be immediate grounds for discontinuance of burn operations.

11. Monitors representing the USCG, EPA, federal trustee agencies, the affected states, OSHA, and the responsible party will have the opportunity to monitor in-situ burning operations, when feasible:

(a) Monitoring to establish "continue / discontinue" data for input to the OSC will be conducted in accordance with protocols outlined in Appendix III. Unless smoke plumes are predicted to cross over populated or environmentally sensitive areas, an inability to conduct monitoring operations will not be automatic grounds for discontinuing or prohibiting in-situ burn operations. Real-time PM-10 monitoring will be initiated when trajectories indicate potential movement toward populated or environmentally sensitive areas, and will be in place prior to the start of burn operations to gather baseline data.

Long Island Sound Area Contingency Plan

APPENDICES

(b) All burns must incorporate constant visual observations to monitor smoke plume behavior. A trial burn may be conducted to better estimate plume behavior prior to operational burning. The OSC, EPA, DOC/NOAA, DOI, and the affected state(s) should determine under what conditions the burn should be stopped if the plume contacts or threatens to contact the ground in populated or environmentally sensitive areas.

12. Mechanical recovery equipment shall be mobilized on-scene when feasible for backup and complimentary response capability. Provisions should be made for collection of burn residue following the burn(s).

13. If in-situ burning is used, a post incident debriefing will take place within 45 days to gather information concerning its effectiveness and to determine whether any changes to this agreement are necessary. The debriefing will be chaired by the OSC by arranging the time, place, and date of the debrief. The results of the debrief will be included in the OSC report.

AMENDMENTS

This Memorandum of Understanding may be amended in writing in whole or in part as is mutually agreeable to all parties thereto.

Area Committees may submit further defined areas for use/non-use of in-situ burning for consideration and approval by the USCG, EPA, DOC/NOAA, DOI and the states of New York and New Jersey. Approved amendments shall be found in Appendix I of this MOU.

CANCELLATION

This Memorandum of Understanding may be canceled in whole or in part by any party thereto. Cancellation will take place 30 days following delivery of written notification to each of the agencies participating in this Memorandum of Understanding.

APPENDICES

- I. OSC ISB Decision Diagram
- II. ISB Evaluation Checklist
- III. ISB Monitoring Protocols

Long Island Sound Area Contingency Plan

APPENDICES

SIGNATURES

Captain Eric J. Williams III, USCG
Division Chief
Marine Safety Division
First Coast Guard District
RRT 2 Co-Chair

Date

Captain Anthony Regalbuto, USCG
Division Chief
Marine Safety Division
Area/Fifth Coast Guard District
RRT 3 Co-Chair

Date

Captain Peter K. Mitchell, USCG
Captain Of The Port Long Island Sound
Federal On-Scene Coordinator

Date

Captain Richard Vlaun, USCG
Captain Of The Port New York
Federal On-Scene Coordinator

Date

Captain John Veentjer, USCG
Captain Of The Port Philadelphia
Federal On-Scene Coordinator

Date

Long Island Sound Area Contingency Plan

APPENDICES

Mr. Bruce Sprague
Response and Prevention Branch
U.S. Environmental Protection Agency, Region II
RRT 2 Co-Chair

Date

Mr. Andrew Raddant
Regional Environmental Officer / Northeast
U.S. Department of Interior
RRT Representative

Date

Cdr. Gerry Wheaton
DOC / NOAA
U.S. Department of Commerce
RRT Representative

Date

Mr. Richard Gimello
Assistant Commissioner, Site Remediation
Emergency Response Coordinator
Department of Environmental Protection
State of New Jersey

Date

Mr. Thomas Quinn
Director, Division of Spills Management
Department of Environmental Conservation
State of New York

Date

Long Island Sound Area Contingency Plan

APPENDICES

Region II In-Situ Burning Authorization Zones

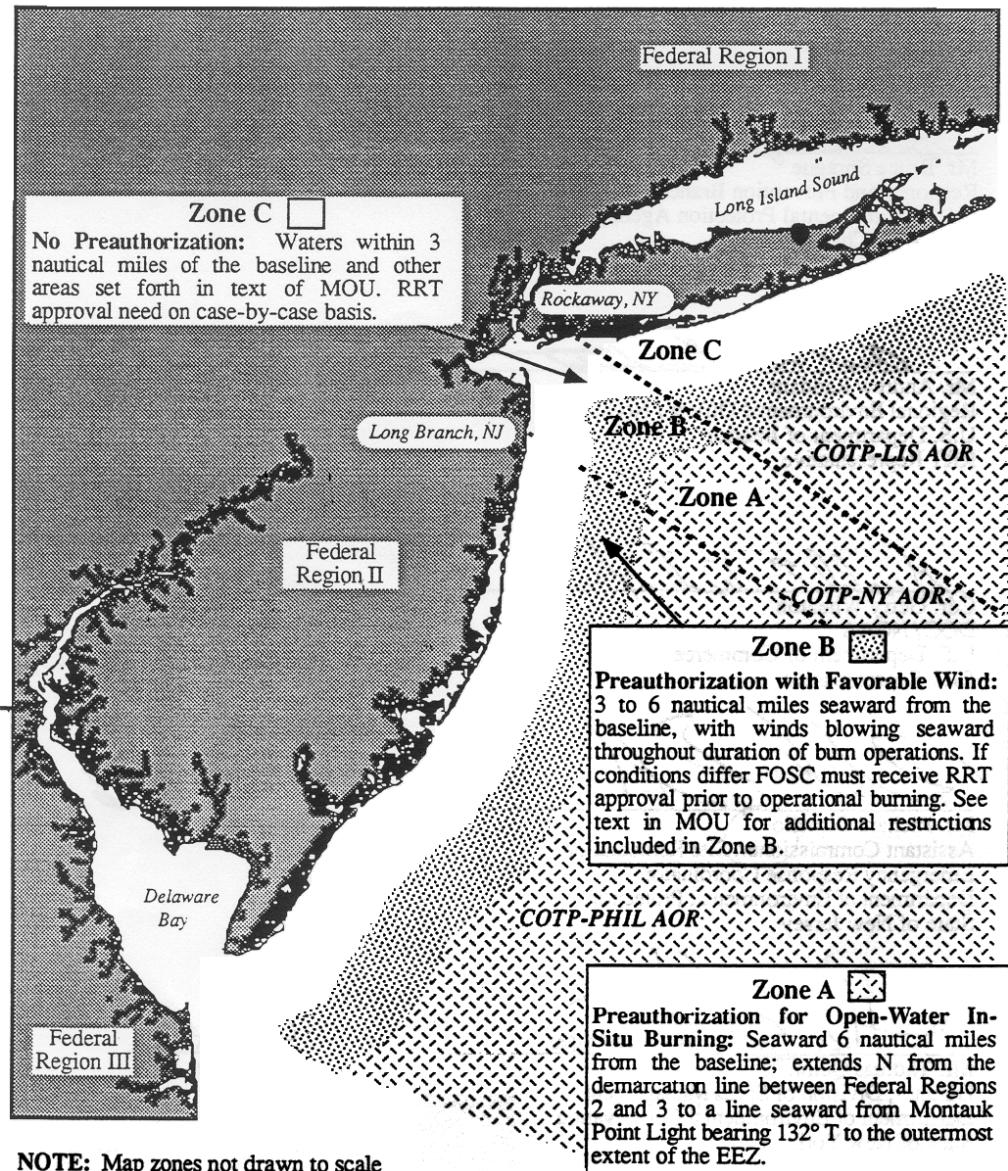


Figure 1

Memorandum of Understanding concerning Preauthorization of In-Situ Burning in federal Region II.

Schematic Illustration of Zone B
In-Situ Burn Requirements

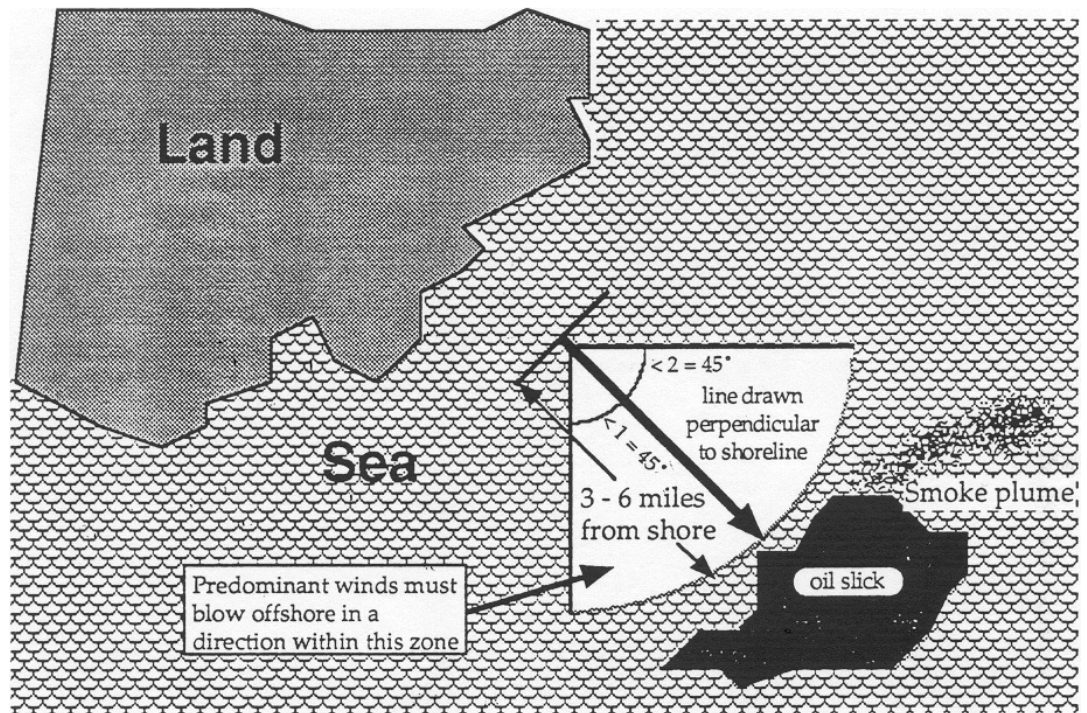


Figure 2

Long Island Sound Area Contingency Plan

APPENDICES

9630.6 COTP Long Island Sound Zone – Geographic Boundaries

The Captain of the Port Long Island Sound (COTP LIS) Office is located in New Haven, CT on the East side of New Haven Harbor approximately 1 mile south of Interstate 95.

The boundary of the Long Island Sound Marine Inspection Zone and Captain of the Port Zone starts at 40°35.4' N latitude, 73°46.6' W. longitude; thence proceeds along a line northeasterly to 40°40' N. latitude 73°40' W. longitude; thence to 40°52.5 N. latitude, 73°37.2' W. longitude; thence northwest to the south shore of Manursing Island at 40°58' N. latitude 73°40' W. longitude; thence northerly to the Connecticut – New York boundary at 41°01.5' N. latitude, 73°40' W. longitude; thence north along the western boundary of Connecticut to the Massachusetts – Connecticut boundary; thence east along the southern boundary of Massachusetts, including the waters of the Congamond Lakes, to the Rhode Island boundary, thence south along the Connecticut – Rhode Island boundary, excluding the waters of Beach Pond, to 41°24' N. latitude, 71°48' W. longitude; thence southerly to 41°21' N. latitude, 71°48.5' W. longitude at Westerly, Rhode Island; thence southwesterly to Watch Hill Light, Rhode Island. The northern offshore boundary is a line bearing 132°T from Watch Hill Light to the outermost extent of the Exclusive Economic Zone (EEZ). The southern offshore boundary extends along a line bearing 127.5°T from the south shore of Long Island at 40°35.4' N. latitude, 73°46.6' W. longitude to 38°28' N. latitude, 70°11' W. longitude; thence easterly to the outermost extent of the EEZ; thence northerly along the outermost extent of the EEZ to the intersection of the northern boundary.

9630.7 [Connecticut: U.S. Coast Guard / EPA Region 1 Boundary](#)

In 1979 a continual boundary for the State of Connecticut, delineating inland and coastal areas was agreed upon by the U.S. Coast Guard and EPA Region I. The boundary begins at the State line on US Rte 1 in Pawcatuck, and ends at the Byram River, between Greenwich, CT and Port Chester, NY. During the 19 years of use, the boundary has been found to have inaccuracies, caused by highway route number changes. These potential problem areas are addressed in *italics*.

U.S. Coast Guard / EPA Region 1 Boundary

Starting at the State line, where US Rte 1 enters the State of Connecticut, in the village of Pawcatuck, the boundary follows US Rte 1 to the intersection of West Broad Street.

The boundary follows West Broad Street, which becomes the Pequot Trail (*CT Rte 234*), westerly, to Taugwank Road.

The boundary follows Taugwank Road, northerly to its intersection with I-95.

The boundary follows I-95, westerly to CT Rte 117.

The boundary follows Rte 117, southerly, to US Rte 1.

The boundary follows US Rte 1, westerly, to its intersection with CT Rte 12, in Groton.

The boundary follows Rte 12, to its intersection with CT Rte 2, in Norwich.

The boundary follows CT Rte 2, westerly, to its intersection with Rte I-95, in New London.

The boundary follows Rte I-95, westerly, to its intersection with CT Rte 156, in Lyme.

Long Island Sound Area Contingency Plan

APPENDICES

The boundary follows CT Rte 156, northerly, to its intersection with Old Hamburg Road in Hamburg.

The boundary follows the Old Hamburg Road until it connects with the Joshuatown Road (which becomes the River Road). The boundary follows River Road northwesterly, to CT Rte 148, in Hadlyme.

From Hadlyme, the boundary follows Rte 148, easterly, to the junction with CT Rte 82.

The boundary follows Rte 82, northerly, to the intersection with CT Rte 149, in East Haddam.

From East Haddam, the boundary follows Rte 149, northerly, to the junction with CT Rte 151, in Moodus.

The boundary follows Rte 151, northwesterly, to its intersection with CT Rte 66 in Cobalt.

From Cobalt, the boundary follows Rte 66, westerly, to Portland, where it follows CT Rte 17A, northerly, to its intersection with CT Rte 17.

The boundary follows Rte 17, northerly, to its intersection with Main Street, in Glastonbury.

The boundary follows Main Street through Glastonbury to its intersection with CT Rte 2, in Hachanum.

The boundary follows Rte 2, northerly, to Rte I-84 in East Hartford.

The boundary follows Rte I-84 across the Connecticut River, the follows I-91, southerly through Hartford, to the intersection with CT Rte 99.

The boundary follows Rte 99, southerly, to its intersection with CT Rte 9.

The boundary follows Rte 9, to the Union Street interchange, in Middletown, and along Union Street to River Road.

The boundary follows River Road, westerly, to Aircraft Road, within the Pratt & Whitney compound.

The boundary follows Aircraft Road, westerly, to its intersection with CT Rte 154.

The boundary follows CT Rte 154, southerly, to its intersection with CT Rte 9, in Deep River.

The boundary follows Rte 9, to its intersection with Rte I-95, in Old Saybrook.

The boundary follows Rte I-95, to its intersection with US Rte 1, at exit 55, in Branford.

The boundary follows US Rte 1, westerly, to Townsend Avenue.

The boundary follows Townsend and Quinnipiac Avenues, northerly, to CT Rte 80.

The boundary follows Rte 80, westerly to I-91.

The boundary follows Rte I-91, southerly to Rte I-95.

The boundary follows Rte I-95, westerly to the Milford Parkway.

The boundary follows the Milford Parkway and CT Rte 15, westerly, to CT Rte 110, in Stratford.

The boundary follows Rte 110, southerly, to Rte I-95.

The boundary follows Rte I-95, westerly to Seaview Avenue.

The boundary follows Seaview Avenue, northerly, to US Rte 1.

The boundary follows Rte 1 and Chops Hill Road to CT Rte 8.

Long Island Sound Area Contingency Plan

APPENDICES

The boundary follows CT Rte 8, southerly, to Rte I-95.

The boundary follows Rte I-95, westerly, to East Street in Norwalk.

The boundary follows East Street, northerly, to Wall Street.

The boundary follows Wall Street, westerly, to West Street.

The boundary follows West Street, southerly to Rte I-95.

The boundary follows Rte I-95, westerly, to Exit 5, where the boundary transfers to US Rte 1 westerly.

The boundary follows Rte 1, westerly, to Indian Trail, in Cos Cob.

The boundary follows Indian Trail, southerly, to Rte I-95.

The boundary follows Rte I-95, westerly, to Exit 2.

From Exit 2, the boundary follows Delavan and Mill Street to the Byram River Bridge, and Region 2.

Notes: Incidents occurring seaward of the boundary are the responsibility of the U.S. Coast Guard to provide the On-Scene Coordinator. Incidents that occur on the boundary, or inland of the boundary are the responsibility of the U.S. Environmental Protection Agency to provide the On-Scene Coordinator.

Islands off the coast of Connecticut are within the U.S. Coast Guard's jurisdiction.

9630.8 [Long Island, New York: US Coast Guard / EPA Region 2 Boundary](#)

The southern boundary starts at the edge of the COTP NY zone in Lynbrook, NY. and follows RT 27 easterly along the southern shore of Long Island to the intersection with the Montauk Highway (RT 27A) in Rockville Center; then easterly along the Montauk Highway to its intersection with RT 104 in East Quogue; then north across Long Island on RT 104 to its intersection with RT 25 in Riverhead; then westerly on RT 25 to its interchange with RT 25A. The boundary follows RT 25A along the north shore of Long Island to the COTP NY zone boundary line in Roslyn.

9640 References/Links

9640.1 [NCP Product List](#)

Section 311(d)(2) of the Clean Water Act and Section 4201(a) of the Oil Pollution Act of 1990 require the preparation of a "schedule" of dispersants, other chemicals, and other spill mitigating devices and substances, if any, that may be authorized for use on oil discharges. EPA prepares and maintains this schedule, known as the NCP Product Schedule. Vendors, response personnel, other federal agencies, state agencies, and the public request and use Product Schedule information. The listing of a product on the NCP Product Schedule does not constitute approval of the product.

Long Island Sound Area Contingency Plan

APPENDICES

9640.2 [Catalog of Crude Oil & Oil Product Properties](#)

This catalogue provides data on various physical-chemical properties of crude oils and petroleum products. The properties that are reported are those that will likely determine the environmental behavior and effects of spilled oil. The oils are arranged in alphabetical order.

9640.3 [CHRIS Manual](#)

The Chemical Hazards Response Information System (CHRIS) is designed to provide information needed for decision-making by responsible Coast Guard personnel during emergencies that occur during the water transport of hazardous chemicals. CHRIS also provides much information that can be used by the Coast Guard in its efforts to achieve better safety procedures and to prevent accidents.

9640.4 [Code of Federal Regulations \(CFR\)](#)

9640.5 [NIOSH Guide](#)

9640.6 [U.S. Coast Guard Marine Safety Manual IX](#) (Marine Environmental Protection)

9640.7 [Regional Response Team I/Regional Contingency Plan](#)

9640.8 [Regional Response Team II](#)

9640.9 [National Response Team](#)

9640.10 [Initial National Response Plan](#)

9640.11 [G-MOR USCG Office of Response](#)

9640.12 [CERCLA](#) (Comprehensive Environmental Response Compensation and Liability Act)

9640.13 [Shoreline Countermeasure Matrix](#)

9640.14 Coast Guard/EPA Regions 1 and 2 Boundary Maps

Following 35 pages (hard copy plan).

Long Island Sound Area Contingency Plan

APPENDICES

9700 Reserved

9800 Reserved for Area/District

9900 Reserved

Long Island Sound Area Contingency Plan

APPENDICES
